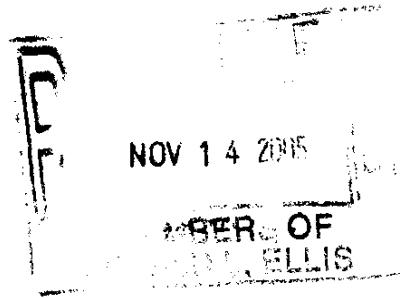


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November 11, 2005

VIA UPS NEXT BUSINESS DAY DELIVERY

The Honorable Ronald L. Ellis
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1970
New York, NY 10007

Re: Merit Capital Group, LLC v.
Trio Industries Management, LLC et al
Case No. 04 CIV 7690 (RCC)

Dear Judge Ellis:

This firm represents defendants and third party plaintiffs in the above action.

On behalf of all parties, pursuant to Rule 1(E) of Your Honor's Individual Practices, I am writing to respectfully request a further extension of the parties' deadline to complete depositions presently due November 14, 2005. Counsel for all parties have conferred and jointly request an extension to December 30, 2005.

The parties currently have been actively engaged in settlement negotiations. This request for an extension is not made for purposes of delay, but to permit the parties to engage in meaningful settlement negotiations and pursue the possibility of settlement without the added burden and expense of concurrently engaging in depositions.

SHUSTAK JALIL & HELLER

Honorable Ronald L. Ellis

November 11, 2005

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Depositions are the only remaining discovery item to be completed. The discovery deadline has been extended upon consent of the parties and the Court three times over the course of the last several months due to various reasons as outlined more fully in the previous letters of counsel.

We appreciate Your Honor's kind attention and consideration of this matter and respectfully ask that this extension be granted.

Respectfully submitted,


Susan C. Stanley

cc: Marc R. Rosen, Esq. (via email at MRosen@gskny.com)
Imtiaz Siddiqui, Esq.

Granted.
SO ORDERED
Ronald L. Ellis 11-28-05
U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK